

SENATE BILL 1370

By Bell

AN ACT to amend Tennessee Code Annotated, Title 20  
and Title 29, relative to torts.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 34, Part 2, is amended by adding the following new section:

**29-34-212.**

(a) There is no cause of action for wrongful birth on behalf of any person based on a claim that, but for an act or omission of the defendant, a person once conceived would not or should not have been born.

(b) There is no cause of action for wrongful life on behalf of any person based on a claim that, but for an act or omission of the defendant, the person would not have been conceived or, once conceived, would or should have been aborted.

(c) For the purposes of this section, a person is deemed to be conceived at the moment of fertilization, as that term is defined in § 39-15-213.

SECTION 2. Tennessee Code Annotated, Section 20-5-106(d), is amended by deleting the subsection and substituting:

(d) As used in this section, the word "person" includes an unborn child at any stage of gestation in utero.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.